

Respectfully submitted,

/s/ William G. Whitehill

William G. Whitehill

Texas State Bar No. 21356550

Joe B. Harrison

Texas State Bar No. 09115500

GARDERE WYNNE SEWELL LLP

1601 Elm Street, Suite 3000

Dallas, Texas 75201

Phone: 214.999.4633 Fax: 214.999.3633

OF COUNSEL:

Geoffrey H. Bracken

Texas State Bar No. 02809750

J. Palmer Hutcheson

Texas State Bar No. 10335500

GARDERE WYNNE SEWELL LLP

1000 Louisiana, Suite 3400

Houston, Texas 77002-5007

Phone: 713.276.5739 Fax: 713.276.6739

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I certify that on at least three occasions, including the April 13th Rule 23(f) conference, Plaintiff's counsel asked Defendants' counsel whether Defendants would agree to the relief Plaintiff seeks in this motion. Defendants do not agree to proceeding with this case as a class action.

/s/ William G. Whitehill

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2011, a true and correct copy of this document has been forwarded to all counsel of record through the Court's CM/ECF system and by hand delivery to Ms. Gates on this 27th day of April, 2011.

Alison J. Gates

MORGAN, LEWIS & BOCKIUS LLP

1000 Louisiana, Suites 4200

Houston, Texas 77002

Christopher J. Boran

Sari M. Alamuddin

MORGAN, LEWIS & BOCKIUS LLP

77 West Wacker Drive

Chicago, Illinois 60601

/s/ Geoffrey H. Bracken

Geoffrey H. Bracken